

Amendment Under 37 C.F.R. §1.111
Application No. 10/806,149
Attorney Docket No. 042188

REMARKS

Claims 1-4, 7, 8 and 10 are pending.

I. The Objection to Claim 9

Claim 9 is objected to under 37 CFR 1.75(c), as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claim 9 has been cancelled. Therefore, the objection to claim 9 is moot.

I. The Rejection of Claim 10

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being allegedly being indefinite.

The Examiner states that the recitation of “the second load-lock mechanism” lacks antecedent basis and that it is not clear what is meant by “the swing axial”.

Claim 10 has been amended to recite “a second load-lock mechanism” and the term “the swing axial” has been deleted.

The term “swing shaft” is described at page 4, lines 16-20, of the specification as originally filed.

For the above reasons, it is respectfully submitted that Applicants’ claims are clear and definite and it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

II. The Rejection Based on Mitchell et al

Claim 8 is rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Mitchell et al (US 6,350,097, previously cited).

The Examiner makes three arguments.

(1). The Examiner states that applicant argue that the arms of Mitchell are not capable of simultaneously swinging in the manner set forth, allegedly because one of the arms would be blocked from entering the load lock while the other arm is already in the load lock. However, the Examiner states that claim 8 does not require this. Rather, the Examiner states that claim 8 requires the arms to be capable of swinging in opposite first and second directions, which the Examiner alleges the arms of Mitchell clearly do. The Examiner states that claim 8 does not require the arms to actually perform the functions of simultaneously loading and unloading respective objects to and from the load lock mechanism. The Examiner notes that Applicant is not claiming a method in which particular steps must actually be performed.

(2). The Examiner states that even if the claim is interpreted as requiring the arms to be inserted into the load lock simultaneously, it is noted that the claim merely requires a generic “load-lock mechanism”. Nothing precludes the upper and lower load locks of Mitchell from collectively being considered a “load-lock mechanism”. Thus, the Examiner considers one arm loading the upper load lock while the other arm was unloading the lower load lock, or vice-versa, could conceivably be permitted under the broad recitation of a “load-lock mechanism”.

(3). The Examiner alleges that because the arms of Mitchell are able to move vertically along the swing axis, it is also conceivable that they could be controlled such that a

carefully executed combination of vertical and rotational motion would allow the swing arms to simultaneously perform the functional recitations set forth in the claim. The Examiner again states that the arms need only be capable of having such movements; the movements themselves do not need to be explicitly disclosed.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Mitchell and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

With regard to the Argument (1), claim 8 has been amended for clarity to recite “and is capable of moving”.

With regard to arguments (2) and (3), claim 8 is amended to recite that the first load-lock mechanism comprises a lift table. The lift table is shown in Fig. 2 as lift table 63. The Examiner considers that the load-lock mechanism of claim 8 is generic. Further, the Examiner appears to consider, in Mitchell apparatus, that one arm loads the upper load lock while the other arm is unloading the lower load lock, or vice versa. It appears that the Examiner admits that one arm cannot load the upper load lock while the other arm is unloading the upper load lock, or vice versa.

In contrast to the disclosures of Mitchell, in claim 8, the first arm is capable of swinging in a first swing direction and is capable of moving a process object at the load position to the lift table of the first load-lock mechanism, and at the same time the second arm is capable of swinging in a second swing direction reverse to the first swing direction and is capable of

Amendment Under 37 C.F.R. §1.111
Application No. 10/806,149
Attorney Docket No. 042188

moving another process object held on the lift table of the first load-lock mechanism to the load position. Namely, the first arm loads a process object onto the lift table of the first load-lock mechanism while the second arm unloads another process object from the same lift table.

As described above, claim 8 is patentably distinguished over Mitchell and the combination of .

For the above reasons, it is respectfully submitted that the subject matter of claim 8 is neither taught by nor made obvious from the disclosures of Mitchell and it is requested that the rejection under 35 U.S.C. §102 be reconsidered and withdrawn.

III. Paragraph 7-10 – The Rejection Based on Dickinson in view of Mitchell et al

Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Dickinson in view of Mitchell.

Claims 1-7 and 9 have been amended to depend on claim 8, which was not rejected by the Examiner over Dickenson in view of Mitchell. In view thereof, it is respectfully submitted that the subject matter of claims 1-4, 7 and 9 is not rendered obvious from the disclosures of Dickinson in view of Mitchell et al and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

Amendment Under 37 C.F.R. §1.111
Application No. 10/806,149
Attorney Docket No. 042188

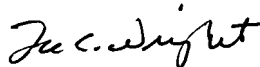
IV. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the objection to the claims, the rejection under 35 U.S.C. §112, the rejection under 35 U.S.C. §102 and the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Lee C. Wright
Attorney for Applicants
Registration No. 41,441
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

LCW/af